

1 THE HONORABLE JAMES L. ROBART

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,) No. CR19-0230JLR
10 Plaintiff,)
11 v.) ORDER ON MOTION TO
12 SHANNON MCCALL,) CONTINUE TRIAL
13 Defendants.)
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15 This matter comes before the Court on the motion of the government and Mr. Sandoval
16 to continue the trial in this matter, and to set a new pretrial motion cutoff consistent with that
17 new trial date. Having considered the motion, any responses and objections, and all the files and
18 records herein, the Court finds and rules as follows:

19 The facts supporting continuing the trial and excluding the consequent delay are set forth
20 in the Stipulated Motion to Continue, incorporated by this reference.

21 THIS COURT FINDS, pursuant to Title 18, United States Code, Section
22 3161(h)(7)(B)(i) and (ii) that the charges are serious and carry potential substantial imprisonment
23 penalties, and this case is sufficiently complex, due to the volume of discovery provided and to
24 be provided, to include numerous recordings, that it is unreasonable to expect adequate
25 preparation by the parties for pretrial proceedings or for the trial itself by the current trial date,
26 or for the immediate future.

THE COURT THEREFORE FINDS that failure to grant the continuance in this case
would result in a miscarriage of justice, because failing to continue this matter for a considerable

1 period of time would deny counsel for the parties the reasonable time necessary for effective
2 preparation, due to defense counsel's need for more time to review the discovery and evidence
3 produced, and still to be produced, and to consider possible defenses and motions, taking into
4 account the exercise of due diligence.

5 THE COURT FINDS, in light of these factors, that it is unlikely that the parties can be
6 reasonably ready to try this matter before June 22, 2020, at the earliest.

7 THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(6) and
8 (7), that this is a reasonable period of delay in that the majority of the defendants have indicated
9 they require more time to prepare for trial. The Court finds that given the complexity of the case,
10 and the volume of discovery produced, and still to be produced, that more time is, in fact,
11 necessary.

12 THIS COURT FINDS, therefore, that pursuant to Title 18, United States Code, Sections
13 3161(h)(6) and 3161(h)(7), the ends of justice will best be served by a continuance, and that they
14 outweigh the interests of the public and the defendant in a speedy trial.

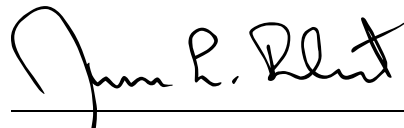
15 THIS COURT FURTHER FINDS that all of the additional time requested between the
16 filing of this motion and the new trial date of June 22, 2020, is necessary to provide counsel for
17 the defendant the reasonable time necessary to prepare for trial.

18 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date will be continued
19 as to the Defendant in the case captioned above until June 22, 2020 at 1:30 p.m.

20 IT IS HEREBY ORDERED, that pretrial motions will be filed no later than
21 May 14, 2020.

22 IT IS FURTHER ORDERED that the time between the date the motion to continue was
23 filed and the new trial date is excluded in computing the time within which a trial must be held
24 pursuant to Title 18, United States Code, Section 3161, et seq.

25 DATED this 27th of December, 2019.

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The Honorable James L. Robart
U.S. District Court Judge

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8 Presented by:

9
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